

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

BOS GMBH & CO. KG,)	
)	
Plaintiff,)	Civil Action No. 1:11-cv-02363
v.)	
)	Honorable Charles R. Norgle, Sr.
MACAUTO INDUSTRIAL CO., LTD.,)	
)	
Defendant.)	

JOINT STIPULATION OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE

Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), BOS GmbH & Co. KG and Macauto Industrial Co., Ltd. stipulate to the dismissal of this action without prejudice and that the parties will bear their own costs, expenses and attorneys' fees. The parties further stipulate that Macauto Industrial Co. Ltd. and related Macauto Industrial Co. Ltd. entities, including its subsidiaries, will waive service of process pursuant to Fed. R. Civ. P. 4(d), while preserving and expressly not waiving any and all objections and defenses, including that there is no factual basis for naming Macauto Industrial Co. Ltd. as a defendant, in any future action involving U.S. Patent No. 6,422,291 that is initiated in the U.S. District Court for the Western District of New York.

Date: November 3, 2011

Respectfully submitted,

<i>Attorneys for BOS GmbH & Co. KG</i>	<i>Attorneys for Macauto Industrial Co. Ltd.</i>
<u>/s/ David M. Airan</u> LEYDIG, VOIT & MAYER, LTD. Dennis R. Schlemmer (IL #2487349) David M. Airan (IL #6215687) Kevin C. Keenan (IL #6293101) Two Prudential Plaza, Suite 4900 Chicago, Illinois 60601-6780	<u>/s/ Russell E. Levin</u> Russell E. Levine, P.C. Craig D. Leavell KIRKLAND & ELLIS LLP 300 North LaSalle Street Chicago, Illinois 60654 Telephone: (312) 862-2466

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CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that on November 3, 2011, a true and correct copy of the foregoing JOINT STIPULATION OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE was served as noted below on the following counsel of record:

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